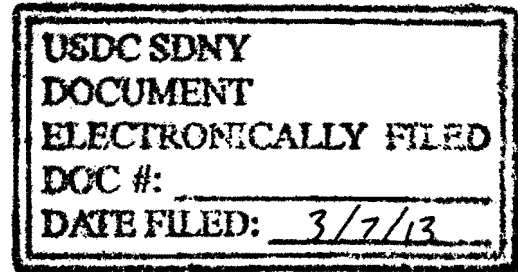


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
JACQUELINE ROGERS,

Plaintiff,

-against-

THE BANK OF NEW YORK MELLON
CORPORATION, et al.,

Defendants.
-----X

:

:

:

:

:

:

:

:

09 Civ. 8551 (HBP)

OPINION
AND ORDER

PITMAN, United States Magistrate Judge:

I. Introduction

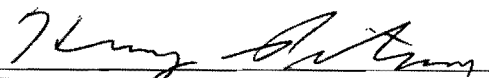
In a motion dated May 11, 2012 that is docketed as both Docket Items 40 and 42, Cronin & Byczek, LLP (the "Cronin Firm") moves to withdraw as counsel for plaintiff. Because the documents submitted in connection with the motion demonstrate that there had been, at the very least, an irreparable breakdown in communications between plaintiff and the Cronin Firm, the application is granted and the Cronin Firm, its partners and associates are relieved as counsel for plaintiff. The Clerk of the Court is directed to mark Docket Items 40 and 42 as closed.

The Cronin Firm also seeks retaining and charging liens. Because (1) an attorney who is discharged for cause is not entitled to either a retaining or charging lien and (2) the

parties have submitted conflicting evidence concerning the basis for the rift between Plaintiff and the Cronin Firm, in the absence of a stipulation between plaintiff and the Cronin Firm, it is necessary to conduct a hearing to determine whether the Cronin Firm has been terminated for cause. The hearing will be conducted on April 4, 2013 at 2:00 p.m. in Courtroom 18-A, United States Courthouse, 500 Pearl Street, New York, New York 10007.

Dated: New York, New York
March 7, 2013

SO ORDERED


HENRY PITMAN
United States Magistrate Judge

Copies transmitted to:

Ms. Jacqueline Rogers
4121 Beach Channel Drive
Far Rockaway, New York 11691

Linda M. Cronin, Esq.
Cronin & Byczek, LLP
1983 Marcus Avenue
Suite C-120
Lake Success, New York 11042

Christine B. Cesare, Esq.
Bryan Cave LLP
1290 Avenue of Americas
New York, New York 10104